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12  
13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

15 PAULA L. BLAIR, ANDREA ROBINSON,  
and FALECHIA A. HARRIS, individually and  
16 on behalf of all others similarly situated,

17 Plaintiffs,

18 vs.

19 RENT-A-CENTER, INC., a Delaware  
corporation; RENT-A-CENTER WEST, INC.,  
20 a Delaware corporation; and DOES 1-50,  
inclusive,

21 Defendants.  
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28

CASE NO. 3:17-CV-02335-WHA

**DECLARATION OF ZACHARIAH P.  
DOSTART IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

**REDACTED VERSION OF  
DOCUMENTS SOUGHT  
TO BE SEALED  
[AS TO EXHIBITS 8-17]**

Date: June 28, 2018  
Time: 8:00 a.m.  
Ctrm.: 12  
Judge: Hon. William Alsup

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1 I, Zachariah P. Dostart, declare as follows:

2 1. I am an attorney at law licensed to practice in the State of California and am an  
3 attorney with the law firm of Dostart Hannink & Coveney LLP, counsel of record for plaintiffs  
4 Paula L. Blair, Andrea Robinson and Falechia A. Harris (collectively, "Plaintiffs").

5 2. Attached hereto as Exhibit 1 is a true and correct copy of an excerpt of Assembly  
6 Bill 722.

7 3. Attached hereto as Exhibit 2 is a true and correct copy of an excerpt from the  
8 database produced by Defendants Rent-A-Center, Inc. and Rent-A-Center West, Inc. (collectively,  
9 "RAC") as RAC-001200, reflecting the transactions of Paula Blair, Andrea Robinson, Falechia  
10 Harris, and Celinda Garza. The Parties have agreed that this information can be filed in the public  
11 record. The address, telephone number, and email information for these individuals has been  
12 redacted.

13 4. Attached hereto as Exhibit 3 are true and copies of excerpts from the deposition of  
14 Bobby Pope, RAC's Division Vice President of Service, Distribution, Fleet, taken on April 25,  
15 2018.

16 5. Attached hereto as Exhibit 4 are true and correct copies of excerpts from the  
17 deposition of Jonathan Parks, RAC's Vice President of Global Logistics & Distribution, taken on  
18 April 27.

19 6. Attached hereto as Exhibit 5 are true and copies of excerpts from the deposition of  
20 Daniel Glasky, RAC's Vice President of Merchandising, taken on December 13, 2017.

21 7. Attached hereto as Exhibit 6 are true and correct copies of excerpts from the  
22 deposition of Michael Cross, a Fed. R. Civ. Proc. 30(b)(6) witness for RAC, taken on April 26,  
23 2018.

24 8. Attached hereto as Exhibit 7 are true and correct copies of excerpts from the  
25 deposition of Katrina Holihan, RAC's Senior Director of Accounting-Inventory, taken on April  
26 27, 2018.

27 9. Attached hereto as Exhibit 8 is a true and correct copy of a screen shot produced by  
28 RAC as RAC-000457, reflecting the \$23.49 transfer up-charge associated with the air

1 conditioning unit that was the subject of Blair's 2015 transaction.

2 10. Attached hereto as Exhibit 9 is a true and correct copy of a screen shot produced by  
3 RAC as RAC-000460, reflecting the original unit cost from the supplier of \$331.00, associated  
4 with the Microsoft Xbox that was the subject of Blair's 2016 transaction.

5 11. Attached hereto as Exhibit 10 are true and correct copies of screen shots produced  
6 by RAC as RAC-000458-459 reflecting the \$17.20 up-charge.

7 12. Attached hereto as Exhibit 11 are true and correct copies of screen shots produced  
8 by RAC as RAC-000422-423, reflecting a \$23.49 up-charge associated with the televisions that  
9 were the subject of Robinson's transaction.

10 13. Attached hereto as Exhibit 12 is a true and correct copy of a screen shot produced  
11 by RAC as RAC-000383, reflecting the unit cost from the supplier of \$189.47 for the 32"  
12 television purchased by Harris.

13 14. Attached hereto as Exhibit 13 are true and correct copies of screen shots produced  
14 by RAC as RAC-000386-387, reflecting the unit cost from the supplier of \$505.26 for the 55"  
15 television purchased by Harris.

16 15. Attached hereto as Exhibit 14 is a true and correct copy of a screen shot produced  
17 by RAC as RAC-000425, reflecting the \$92.48 up-charge associated with the refrigerator that was  
18 the subject of Garza's transaction.

19 16. Attached hereto as Exhibit 15 is a true and correct copy of a transmittal letter from  
20 RAC's counsel dated May 4, 2018, together with an excerpt of the National Product Services,  
21 LLC's ("NPS") database produced by RAC as RAC-001254, which identifies all items shipped by  
22 NPS to California during the class period, together with the corresponding up-charge/cost per unit  
23 ("CPU") amount.

24 17. Attached hereto as Exhibit 16 is a true and correct copy of a document produced by  
25 RAC as RAC-001252, which is a summary table of the CPU allocations prepared by Jonathan  
26 Parks.

27 18. Attached hereto as Exhibit 17 is a true and correct copy of a transmittal letter from  
28 RAC's counsel dated May 4, 2018, together with an excerpt of the NFI database produced by

1 RAC as RAC-001253, which identifies all items shipped by NFI to California during the class  
2 period, together with the corresponding up-charge/CPU amount.

3 19. A summary of my educational and professional background is as follows: I have  
4 been a member of the California Bar since 2008. I am a graduate of Pepperdine University School  
5 of Law, where I served as Managing Editor of the *Pepperdine Law Review*. I completed the  
6 C.P.A. exam and hold a M.B.A. After law school, I was an Associate at Lehman Brothers in New  
7 York City and then served as a prosecutor in the office of the San Diego District Attorney before  
8 joining Dostart Hannink & Coveney LLP. I focus on representing plaintiffs in class action matters  
9 and I have tried multiple certified class actions to judgment.

10 20. My litigation colleague at Dostart Hannink & Coveney LLP includes James T.  
11 Hannink. A summary of his educational and professional backgrounds is as follows: James T.  
12 Hannink obtained a B.A. from Calvin College in 1984 with majors in Economics and Political  
13 Science. He obtained a J.D. from the University of California, Davis, in 1987. After graduating  
14 from law school, he joined the San Diego firm of Gray, Cary, Ames & Frye (which is now DLA  
15 Piper) as an associate, and was a partner in the litigation group of that firm from 1995 to 2008.  
16 While at DLA Piper, he focused on complex litigation matters including class actions and patent  
17 and trademark litigation. Since joining Dostart Hannink & Coveney LLP in 2011, he has  
18 represented plaintiffs in class action litigation, including trial and appellate matters. Since 2011,  
19 James has focused on representing plaintiffs in class action matters.

20 21. I am not aware of any conflicts of interest that would prevent me or my firm from  
21 continuing to zealously pursue the claims of plaintiffs and the putative class in this action.

22 I declare under penalty of perjury under the laws of the United States of America that the  
23 foregoing is true and correct and that this declaration is executed on May 10, 2018 at La Jolla,  
24 California.

25  
26 s/Zachariah P. Dostart  
27 ZACHARIAH P. DOSTART  
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